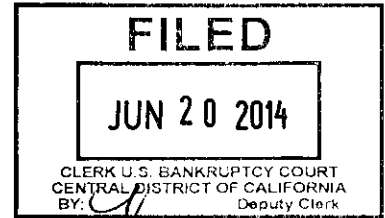


James Couri Pro Se
78365 Highway 111 (Suite 322)
La Quinta, CA 92253



UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
RIVERSIDE DIVISION

In re:)	Case No: 6: 14-bk-12555-WJ
)	
JAMES C. COURI,)	Adv. Proc. No: 14-01143
)	
Debtor.)	Chapter 7
)	
_____)	JAMES COURI'S ANSWER
DR. JOHN W. SIEBERT, an individual,)	TO COMPLAINT with
And JOHN W. SIEBERT, MD., PC, a)	PROOF OF SERVICE
New York Professional corporation,)	
)	
Plaintiffs,)	
)	
v.)	
)	
JAMES C. COURI, an individual,)	
)	
Defendant.)	
_____)	

James C. Couri's Answer to the Complaint dated June 1, 2014 as follows:

1. Answering Defendant admits to allegation in paragraph 4.
2. Answering Defendant denies allegations for lack of information contained in paragraphs 2, and 3.

1 3. Answering Defendant denies allegations in paragraphs 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
2 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38,
3 39, 40, 41, 42, 43, 44, 45, and 46.

4 **FIRST AFFIRMATIVE DEFENSE**

5 4. Siebert and PC have failed to state any legitimate Cause of Action or Claim against
6 James C. Couri (Couri) upon which relief can be granted. John W. Siebert and John W.
7 Siebert MD, PC (collectively Siebert) are not bonafide creditors and they owe unpaid fees
8 and other obligations to Debtor.
9

10 **SECOND AFFIRMATIVE DEFENSE**

11 5. Allegations herein are barred by Collateral Estoppel and Res Judicata.
12

13 **THIRD AFFIRMATIVE DEFENSE**

14 6. Siebert and PC have instituted claims in bad faith and pursuant to Doctrines of Unclean
15 Hands are equitably estopped from seeking requested relief.
16
17

18 **FOURTH AFFIRMATIVE DEFENSE**

19 7. Siebert and PC have engaged in fraudulent conduct, perjury and other illegal activities.
20
21

22 **FIFTH AFFIRMATIVE DEFENSE**

23 8. Siebert and PC have breached the implied Covenant of Good Faith and Fair dealings.
24
25

26 **SIXTH AFFIRMATIVE DEFENSE**

27 9. Siebert and PC have failed to plead alleged fraud and other improper conduct with
28 required and sufficient specificity and particularity.

SEVENTH AFFIRMATIVE DEFENSE

10. Siebert and PC Claims are barred by the Statute of Frauds.

EIGHTH AFFIRMATIVE DEFENSE

11. All Siebert and PC Claims were settled and resolved and fully and unconditionally released and or waved pursuant to various Siebert Statements, Agreements, Resolutions and General Releases

NINETH AFFIRMATIVE DEFENSE

12. Siebert and PC claims are barred by Covenants Not to Sue pursuant to various Agreements and Resolutions, many prepared by Siebert and his lawyers.

TENTH AFFIRMATIVE DEFENSE

13. Siebert and PC Claims are barred by Contributory Negligence, waiver, Statute of Limitations.

ELEVENTH AFFIRMATIVE DEFENSE

14. Siebert and PC Claims are barred by Release, Agreements and waivers.

TWELFTH AFFIRMATIVE DEFENSE

15. Siebert and PC have engaged in theft of services, admitted fraud, negligence, misrepresentation, intentional and negligent infliction of emotional distress, malicious prosecution and abuse of process. Siebert and PC owe Debtor substantial sums of money unconditionally agreed-to by Siebert and PC pursuant to written, sworn-to and Notarized Agreement and Release.

THIRTEENTH AFFIRMATIVE DEFENSE

16. The Siebert and PC's Complaint herein is barred by an Injunction issued 12-05 in NY Supreme Court precluding Siebert and PC from filing of any Complaint or other legal action against Debtor IN ANY COURT, without first seeking Court approval/permission from Judge Harold Beeler (or another Justice) with all parties on the on the line. No such "permission" was sought or granted, mandating Dismissal of this Siebert and PC Adversary Case.

FOURTEENTH AFFIRMATIVE DEFENSE

17. The Case (#107240/04 NY Supreme Court) in which Siebert and PC asserted the Claims herein, was Dismissed pursuant to CPLR 3404 and Uniform Rule 202.21 (a)(b)(e); and was further Dismissed by Court Order of August 3, 2010 and Marked Disposed/Concluded by the Court Scroll Record. Thus the imposition of the Claims herein by Siebert and PC are barred and precluded by the Statute of Limitations.

WHEREFORE:

Answering Defendant prays judgment as follows:

1. Denial of and Dismissal of Siebert and PC Claims and requested Relief herein.
2. Cost of Suit herein incurred.
3. Attorney's fees and costs
4. Such other and further relief the Court deems just and proper.

Dated: June 18, 2014



James Couri, pro-se
78365 Highway 111, Suite 322
La Quinta, CA 92253
760-346-2808

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

78365 Hwy 111 La Quinta CA 92253

A true and correct copy of the foregoing document entitled (specify):

Court Answer to 6-1-14
Steven P. Ghelani Plaintiff vs. Affirmative Defenses.

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On (date) 6-19-14, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

See attached list

☒ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 6-19-14, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Dr. Richardson Esq.
Sueyunk Family Llc Fax 213-629-4520 & by Mail

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

6-19-14
Date

Nayan P. Ghelani
Printed Name

Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

F 9013-3.1.PROOF.SERVICE

Service List

In re James C. Coonan
Ch 7 Case No 6:14 Bk.-12555-WJ

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Los Angeles CA 90071-1406

John P Pringle Esq (Chap 7 Trustee)
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Los Angeles CA 90040

Everett Greene Esq. (US Trustee)
US Trustee
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